

§ 172.730

the malting of barley in accordance with the following prescribed conditions:

(a) The additives meet the following specifications:

(1) The gibberellic acid is produced by deep-culture fermentation of a suitable nutrient medium by a strain of *Fusarium moniliforme* or a selection of this culture.

(2) The gibberellic acid produced is of 80 percent purity or better.

(3) The empirical formula of gibberellic acid is represented by $C_{19}H_{22}O_6$.

(4) Potassium gibberellate is the potassium salt of the specified gibberellic acid.

(5) The potassium gibberellate is of 80 percent purity or better.

(6) The gibberellic acid or potassium gibberellate may be diluted with substances generally recognized as safe in foods or with salts of fatty acids conforming to § 172.863.

(b) They are used or intended for use in the malting of barley under conditions whereby the amount of either or both additives present in the malt is not in excess of 2 parts per million expressed as gibberellic acid, and the treated malt is to be used in the production of fermented malt beverages or distilled spirits only, whereby the finished distilled spirits contain none and the finished malt beverage contains not more than 0.5 part per million of gibberellic acid.

(c) To insure the safe use of the food additives the label of the package shall bear, in addition to the other information required by the Act:

(1) The name of the additive, "gibberellic acid" or "potassium gibberellate", whichever is appropriate.

(2) An accurate statement of the concentration of the additive contained in the package.

(3) Adequate use directions to provide not more than 2 parts per million of gibberellic acid in the finished malt.

(4) Adequate labeling directions to provide that the final malt is properly labeled as described in paragraph (d) of this section.

(d) To insure the safe use of the additive the label of the treated malt shall bear, in addition to the other informa-

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tion required by the Act, the statements:

(1) "Contains not more than 2 parts per million _____", the blank being filled in with the words "gibberellic acid" or "potassium gibberellate", whichever is appropriate; and

(2) "Brewer's malt—To be used in the production of fermented malt beverages only" or "Distiller's malt—To be used in the production of distilled spirits only", whichever is appropriate.

§ 172.730 Potassium bromate.

The food additive potassium bromate may be safely used in the malting of barley under the following prescribed conditions:

(a)(1) It is used or intended for use in the malting of barley under conditions whereby the amount of the additive present in the malt from the treatment does not exceed 75 parts per million of bromate (calculated as Br), and the treated malt is used only in the production of fermented malt beverages or distilled spirits.

(2) The total residue of inorganic bromides in fermented malt beverages, resulting from the use of the treated malt plus additional residues of inorganic bromides that may be present from uses in accordance with other regulations in this chapter promulgated under sections 408 and/or 409 of the act, does not exceed 25 parts per million of bromide (calculated as Br). No tolerance is established for bromide in distilled spirits because there is evidence that inorganic bromides do not pass over in the distillation process.

(b) To assure safe use of the additive, the label or labeling of the food additive shall bear, in addition to the other information required by the Act, the following:

(1) The name of the additive.

(2) Adequate directions for use.

(c) To assure safe use of the additive, the label or labeling of the treated malt shall bear, in addition to other information required by the Act, the statement, "Brewer's Malt—To be used in the production of fermented malt beverages only", or "Distiller's Malt—To be used in the production of distilled spirits only", whichever is the case.